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TO RUEHC/SECSTATE WASHDC PRIORITY 6230  
INFO RUEHZA/WHA CENTRAL AMERICAN COLLECTIVE PRIORITY  
RUEHME/AMEMBASSY MEXICO PRIORITY 4966  
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L GUATEMALA 001268

SIPDIS

E.O. 12958: DECL: 10/07/2018

TAGS: PGOV KCRM KJUS GT

SUBJECT: FORMER PRESIDENT PORTILLO EXTRADITED TO GUATEMALA  
TO FACE EMBEZZLEMENT CHARGES, FREE ON BAIL

Classified By: Ambassador McFarland for reasons 1.4(b,d)

¶1. (U) On October 7, after more than four years of legal battle to avoid extradition, former President Alfonso Portillo (2000-2004) turned himself in to Mexican authorities for extradition to face embezzlement charges in Guatemala. Portillo, a fugitive from justice since 2005, fled to Mexico in February 2004 after being charged in several cases of official corruption. He returned to Guatemala to face charges after the Mexican Supreme Court rejected his final appeal, and the Mexican Attorney General's Office issued a warrant for his arrest.

¶2. (U) Within two hours of his return to Guatemala, Portillo was released on Q1 million (USD 133,333) bail and on condition that he sign the parole book every month and not leave the country. The judge rejected the petition of the Attorney General's Office to place him in preventive detention, and determined that Portillo, who is a well-known figure in Guatemala, was not a flight risk.

¶3. (C) Comment: While sympathizers applauded Portillo's return and immediate release on bail, the public and press expressed outrage. There is rife public speculation that Portillo cut a deal with the Colom government and/or the judiciary for lenient treatment prior to turning himself in to Mexican authorities to be extradited. Many see this as an emblematic case of impunity for elites.  
McFarland